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**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE**

STEPHEN J. TUTTLE, et al.,

Plaintiffs,

v .

AUDIOPHILE MUSIC DIRECT INC. d/b/a
MUSIC DIRECT and MOBILE FIDELITY,
SOUND LAB, INC. d/b/a MOBILE FIDELITY
and/or MOFI,

Defendants.

)
) CASE NO. C22-cv-1081-JLR

)
) CLASS ACTION

)
) **DECLARATION OF**
) **SCOTT M. FENWICK OF KROLL**
) **SETTLEMENT ADMINISTRATION LLC**
) **IN CONNECTION WITH EXCLUSION**
) **REQUESTS**

)
) The Hon. James L. Robart
)

1 I, Scott M. Fenwick, declare as follows:

2
3 **INTRODUCTION**

4 1. I am a Senior Director of Kroll Settlement Administration LLC (“Kroll”),¹ the
5 Settlement Administrator appointed in the above-captioned case, whose principal office is located
6 at 2000 Market Street, Suite 2700, Philadelphia, Pennsylvania 19103. I am over 21 years of age
7 and am authorized to make this declaration on behalf of Kroll and myself. The following statements
8 are based on my personal knowledge and information provided by other experienced Kroll
9 employees working under my general supervision. This declaration is being filed in connection
10 with Class Member exclusion requests/opt-outs.

11 2. Kroll has extensive experience in class action matters, having provided services in
12 class action settlements involving antitrust, securities fraud, labor and employment, consumer, and
13 government enforcement matters. Kroll has provided notification and/or claims administration
14 services in more than 3,000 cases.

15
16 **BACKGROUND**

17 3. Kroll was appointed as the Settlement Administrator to provide notification and
18 claims administration services in connection with that certain Amended Class Action Settlement
19 Agreement and Release (the “Settlement Agreement”) entered into in connection with the above-
20 captioned case.

21
22 **EXCLUSIONS/OPT-OUTS**

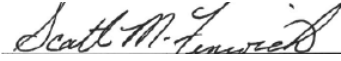
23 4. The Notice Response Deadline for opt-outs was August 22, 2023.

24 5. Kroll has received four (4) timely opt-out/exclusion requests. A list of the exclusions
25 received is attached hereto as **Exhibit A**.

26
27
28 ¹ Capitalized terms used but not defined herein shall have the meanings ascribed to them in the Amended Class
Action Settlement Agreement and Release (as defined below).

CERTIFICATION

I declare under penalty of perjury under the laws of the United States that the above is true and correct to the best of my knowledge and that this declaration was executed on August 29, 2023, in Inver Grove Heights, Minnesota.



SCOTT M. FENWICK

Exhibit A

Exclusion List

Count	Record Identification Number
1	669701K4QS79Z
2	669701NYGB8YH
3	669701035YDZD
4	6697018XH6GWC